CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): WEIDNER, W., ET AL			Docket No. 826
Serial No. 09/367,569	Filing Date 12/21/99	Examiner TORRES, M.	Group Art Unit 2683

Invention: **RADIO APPARATUS**

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UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Torres, M. *Art Unit:* 2683 Official

In re:

Applicant: WEIDNER, W., et al

Serial No.: 09/367,569

Filed: December 21, 1999

REQUEST FOR RECONSIDERATION

March 5, 2003

Hon. Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

This communication is responsive to the Office Action of January 16, 2003.

In the Office Action the Examiner rejected claims 9, 12, 14-18 under 35 U.S.C. 103(a) over the patent to Tsoi in view of the patent to Owaki.

Claims 10-11 and 13 were rejected under 35 U.S.C. 103(a) as above, in further in view of the patent to Mills. Claim 13 was rejected under 35 U.S.C. 103(a) over the patent to Tsoi in view of the patent to Bowen.

After carefully considering the Examiner's grounds over the rejection of the claims over the art, applicants have retained the claims as they were.

It is respectfully submitted that the new features of the present invention which are now defined in the claims clearly and patentably distinguish the present invention from the prior art applied by the Examiner.

Before the analysis of the prior art, it is respectfully submitted that in accordance with the present invention, in local association with the control element an information about the function is displayed when the function is activated by pushing the control element. The advantage of this feature is that it is clear to the user to which function the information belongs.

If the function is active the information is displayed if not the function itself is described in the display.

Turning now to the Examiner's rejection and in particular to the patent to Tsoi, it can be seen that this reference does not teach the new features of the present invention as defined in claim 9. This is also confirmed by the Examiner in the statement that Tsoi does not specifically disclose a display device displaying information with regard to the activating function in local association with at least one control element when the function is activated. According to the patent to Tsoi, in a local association with a control element two different functions are displayed, in particular the function "CALL" and the function "HANG UP". Thus, it is believed to be clear that this reference taken singly neither anticipates nor makes obvious the present invention.

The patent to Owaki discloses a radio apparatus having a display shown in Figures 12 and 13 with names of different pages of a main menu to be displayed as explained in column 4, lines 26-29. By operating a key, which seems not to be in local association to the displayed information, the names of the pages of a first submenu are displayed. At the end, the content of the page chosen is displayed for example as shown in

Figure 12d, today's weather. The patent to Owaki therefore only discloses how to arrange several information pages in the form of a main menu and several submenus. The patent to Owaki does not teach to display in local association with a control element, a function and after activating the function display an information about the function.

Thus, it is believed to be clear that this reference also does not teach the new features of the present invention as defined in claim 9.

It is respectfully submitted that for a person skilled in the art there is no motivation whatsoever to amend the subject matter of the patent to Tsoi by the feature of the patent to Owaki, because the patent to Owaki does not disclose a local association between the displayed information and the control element. A person skilled in the art, having in mind the Owaki patent, would not replace the second function displayed by the patent to Tsoi in the case of activation of the first function by an information about the first function, but it would add to Tsoi a menu structure as described by the patent to Owaki.

It is therefore believed to be clear that a combination of the references would lead only to such a construction which would not be similar

to the applicant's invention and therefore the present invention as defined in claim 9 should be considered as patentably distinguishing over the art and should be allowed.

As for the patents to Mils and Bowen applied against some dependent claims, these patents also do not teach the new features of the present invention.

In view of the above presented remarks and amendments, it is believed that claim 9, the broadest claim on file, should be considered as patentably distinguishing over the art and should be allowed.

As for the dependent claims, these claims depend on claim 9, they share its presumably allowable features, and therefore it is respectfully submitted that they should be allowed as well.

Reconsideration and allowance of present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in

formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,

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